

DRAFT MINUTES (REDLINED)

FOR THE

ATTORNEY REGULATION ADVISORY COMMITTEE

December 11, 2019

9:30 a.m.

State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Vice Chief Justice Ann A. Scott Timmer
(Chair)
Hon. William J. O'Neil (Vice Chair)
Hon. Margaret Downie
Maria Hubbard
Edward Novak
Lisa Panahi
J. Scott Rhodes
Maret Vessella
Hon. Lawrence Winthrop

Telephonically Present

David Lunn

George Riemer
Elaine Sweet

Absent

Ben Click

Whitney Cunningham

Staff

Mark Wilson
~~Cathy~~ Kathy Curry
Kate Novak
Michelle Martinez
Brianna Farmer
Ashleigh Hansen
Dominique Cidro

Guests

9:30 a.m. Call to Order, Welcome and Introductions

No. 1 Review and Approve September 11, 2019 Minutes

Motion: Approve September 11, 2019 Minutes

Moved by: Hon. William J. O'Neil

Second: Edward Novak

Motion Passed: 12-0-2

No. 2 Discussion and Possible Action on Supreme Court Rule Petitions

○ **Rule 34(f)-Admission on Motion**

Mark Wilson presented and discussed a memorandum that had been distributed amongst the Committee referring to Rule 34(f).

Mark Wilson explained that someone who has passed the uniform bar exam but failed to achieve Arizona's cut score cannot apply for admission on motion until they have been licensed for five years. If an individual did not take the UBE or took the UBE and achieved a score equal to or greater than Arizona's cut score the person could apply for admission on motion after three years.

Committee on Examinations has not provided an opinion on matter.

Motion: Committee will not address this issue unless the Court direct the Committee to make a recommendation on the issue, in which case the issue will be brought back to Committee for review.

Moved by: Judge William O'Neil

Second: Edward Novak

Motion Passed 12-0-2

No. 3 Discussion and Possible Action on ~~Program~~Proactive Management Based Regulation (PMBR)

Mark Wilson presented.

Motion at September 11, 2019 meeting approved Committee to proceed in establishing a steering committee, however staff was unsure of how the recommendation would be forwarded to the courts and if the recommendation from ARC had gone to the court.

Maret Vessella and Mark Wilson will work together to write letter recommending the establishment of the steering committee to the courts.

No. 4 New Business

○ Preparation of 2019 ARC Report

Mark Wilson presented to ensure Committee is aware of upcoming ARC Report. The Annual ARC Report is due April 30, 2020.

~~Staff will develop the ARC Report and work to harmonize the numbers and counts to eliminate risk of discrepancies. Once the 2020 ARC Report is completed it will be placed on the agenda for the following meeting to be evaluated for further consistency, accuracy and user-friendliness as well as to discuss any new topics and subjects that should be added or removed to the report moving forward.~~

The Committee discussed the apparent conflict in data reported from different sources that leads to a lack of consistency for the annual report. After discussion, it is suggested that Judge O'Neil, Maret Vessella, and Mark Wilson meet to try and harmonize the report numbers for consistency and user-friendliness. After the 2019 ARC report is completed, an item will be placed on the agenda to form a workgroup, including O'Neil, Vessella, Wilson and other members to look more fully at the report to discuss any new topics and subjects.

No. 5 Call to Public

No members of the public attended or presented.

Next Meeting: March 10, 2020

Adjourned: 10:33 am